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FM AMEMBASSY PRAGUE
TO RUEHC/SECSTATE WASHDC 8056
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUCPDOC/DEPT OF COMMERCE WASHDC
RUEHBS/USEU BRUSSELS
RUEAWJA/DEPT OF JUSTICE WASHDC
RHEFHLC/DEPT OF HOMELAND SECURITY WASHDC

UNCLAS PRAGUE 001230

SIPDIS

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STATE FOR EUR/NCE ERIC FICHTE, EB/TRA
COMMERCE FOR ITA/MAC/EUR MIKE ROGERS
DHA FOR TSA
USEU FOR MORENSKI

E.O. 12958: N/A

TAGS: EAIR PTER CAIO EZ

SUBJECT: CZECHS TRANSFERRING PNR DATA UNDER LEGAL LIMBO

REF: A. PRAGUE 00804
¶B. BRUSSELS 01829

¶1. Despite the passing of the European Court of Justice September 30 deadline for the nullification of the U.S. - E.U. passenger name record (PNR) agreement, the Czech national airline, CSA, continues to transfer passenger records to U.S. authorities but without the consent and legal cover of the Czech Office for Personal Data Protection. According to the Office's Head of Registration Division David Burian, CSA's application for transferring passenger records is pending. CSA applied for transfer authority on September 12, but Burian said the application remains incomplete and CSA promises to comply. Burian is aware of CSA's current transfers and respects the practice, but cannot grant legal authority or cover to do so until he has a completed application from CSA. He indicated that his office would likely grant temporary transfer authority for six-month intervals, but would not directly say so given CSA's pending status.

GRABER